

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**FILED - GR**

August 11, 2009 4:27 PM

TRACEY CORDES, CLERK  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: mkc /MICHIGAN PROTECTION &  
ADVOCACY SERVICE, INC.,

Plaintiff

v

Hon. Gordon J. Quist

Case No: 1:08-cv-888

**STIPULATED MOTION AND ORDER  
AMENDING CASE MANAGEMENT  
ORDER**GARY ROSEMA, in his official capacity  
as the SHERIFF OF OTTAWA COUNTY,

Defendant.

Gabrielle S. Frampton (P-59499)  
MICHIGAN PROTECTION &  
ADVOCACY SERVICE, INC.  
Attorney for Plaintiffs  
4095 Legacy Parkway – Suite 500  
Lansing, MI 48911  
(517) 487-1755

Douglas W. Van Essen (P33169)  
SILVER & VAN ESSEN, P.C.  
Attorneys for Defendant  
116 Ottawa Avenue N.W.  
Grand Rapids, MI 49503  
(616) 988-5600

Michigan Protection and Advocacy, by the undersigned counsel and Ottawa  
County Sheriff Gary Rosema, by his counsel, agree to the following:

1. The parties are in the process of exchanging information that they hope will resolve the remaining issues in the case, but need sixty (60) days to complete that process.
2. If unsuccessful, the parties will need thirty (30) days to select, schedule and complete facilitative mediation.

3. The November 28, 2008, Case Management Order required the parties to disclose the name of their facilitative mediator within 10 calendar days and for facilitative mediation to occur by January 30, 2009. A dispositive motion was filed by the Defendant in early December of 2008 and the resolution of that motion and subsequent discussions have been productive in simplifying or perhaps even resolving the matter.

4. The parties request a modification of the Case Management Order to require the naming of a facilitator within sixty (60) days of the entry of the Amended Order and completion of facilitative mediation within ninety (90) days of the Amended Order.

5. The parties approve the form and content of the attached Order for entry by the Court.

August 7, 2009

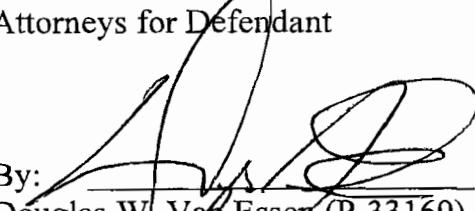
MICHIGAN PROTECTION &  
ADVOCACY SERVICE, INC.  
Attorney for Plaintiff

By:

  
Gabrielle S. Frampton (P-59499)  
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Attorneys for Defendant

By:

  
Douglas W. Van Essen (P-33169)  
116 Ottawa Avenue N.W.  
Grand Rapids, MI 49503

**ORDER**

Upon the stipulated Motion of the parties,

IT IS HEREBY ORDERED that the November 28, 2008, Case Management Order is modified to permit the parties to conduct the VFM no later than \_\_\_\_\_, 2009.

Dated: August \_\_\_, 2009

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Gordon J. Quist  
UNITED STATES DISTRICT JUDGE